

Notice of Allowability

Application No.

09/578,132

Examiner

Thomas K. Pham

Applicant(s)

WISCHINSKI, RAINER H

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for continued examination filed 4/18/2006.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted with a Request for Continued Examination on 4/18/2006. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Reasons for Allowance

2. Claims 1-14 are allowed.

3. The following is an examiner's statement of reasons for allowance:

While Cavasa (U.S. Patent No. 5,579,511) discloses a system for checking the compatibility of a complex installation which incorporates various devices. The system records in memory the identification codes of the devices for a new configuration of the devices. The system also records the old configuration of the devices into memory. The old and new configurations are compared for triggering an alarm when detecting a configuration change. Cavasa does not disclose periodically querying device components for loading into a device component database which will be use to compare with an available device components database for providing an offer to upgrade the installed device components, wherein the database stores data relating to requests for information regarding the device components; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

And Sharpe (U.S. Patent No. 5,903,455) discloses an interface control for use in a field device management system coupled to a set of smart field devices. The interface controls

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monitor a device for displaying information pertaining the device to a user for visually compare the device's configuration with multiple other configurations simultaneously for comparison. The system can automatically update the display in response to any changes made by the user with the current configuration. Sharpe does not disclose a device component database for use in comparing with an available device components database for providing an offer to upgrade the installed device components, wherein the database stores data relating to requests for information regarding the device components; and other limitations related to these features in combination with the remaining elements and features of the claimed invention.

The prior art of record fails to teach or fairly suggest to one of ordinary skill in the art at the time of the invention, in conjunction with all the other claimed limitations, a system for remote configuration monitoring of an industrial control system having all the claimed features of applicant's instant invention, specifically including: periodically querying device components for loading into a device component database which will be use to compare with an available device components database for providing an offer to upgrade the installed device components, wherein the database stores data relating to requests for information regarding the device components, etc., as set forth in the claims.

Also, there is no motivation to combine the Cavasa reference with the Sharpe reference to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday to Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

A handwritten signature in black ink, appearing to read 'Thumpham', with a long horizontal flourish extending to the right.

July 10, 2006